#### STATE OF NORTH DAKOTA

## **SECURITIES DEPARTMENT**

In the Matter of Viper Acquisition, LLC;	
Mees Masonry Corp.; Riverside RV	, )
Rentals, Inc.; Dig-it Underground, Inc.;	CEASE AND DESIST ORDER,
R. Lang Construction, Inc.; Calvin K.	) NOTICE OF CIVIL PENALTY, AND
Mees; Wade J. Vogel; and their Officers,	) NOTICE OF RIGHT TO
Directors, Agents, and Employees,	REQUEST A HEARING
- , , ,	,
Respondents.	,

THE SECURITIES COMMISSIONER OF THE STATE OF NORTH DAKOTA TO: VIPER ACQUISITION, LLC; MEES MASONRY CORP.; RIVERSIDE RV RENTALS, INC.; DIG-IT UNDERGROUND, INC.; R. LANG CONSTRUCTION, INC.; CALVIN K. MEES; AND WADE J. VOGEL.

The North Dakota Securities Commissioner has a reasonable basis to believe that the Respondents have engaged in, are engaging in, or are about to engage in, acts, practices or transactions, as more fully described below, which are prohibited under Chapter 10-04 of the North Dakota Century Code (N.D.C.C.). It is necessary and appropriate in the public interest and for the protection of investors to restrain these acts, practices, or transactions of the Respondents.

- The Respondents have offered for sale and/or sold securities, as defined in N.D.C.C. §10-04-02(15), to at least one resident of North Dakota.
- 2. The Respondents have offered and sold the above-referenced securities by use of material misrepresentations and/or omissions, have engaged in a scheme or artifice to defraud investors, and/or have otherwise engaged in fraudulent or deceptive practices in violation of N.D.C.C. § 10-04-15.

NOW, THEREFORE, IT IS ORDERED, pursuant to N.D.C.C. § 10-04-16, that the Respondents shall immediately CEASE AND DESIST from using material misstatements or omissions, engaging in a scheme or artifice to defraud investors, or from engaging any fraudulent or deceptive practices, in connection with the offer and/or sale of securities in this state.

YOU ARE NOTIFIED that any willful violation of this order is a Class B Felony pursuant to N.D.C.C. § 10-04-18(1). Pursuant to N.D.C.C. § 12.1-32-01(3), a Class B Felony is punishable by a \$10,000 fine and 10 years' imprisonment, with respect to a natural person. Pursuant to N.D.C.C. § 12.1-32-01.1(2), a Class B Felony is punishable by a \$35,000 fine with respect to an organization.

YOU ARE FURTHER NOTIFIED that, pursuant to N.D.C.C. § 12.1-09-03, a person is guilty of a criminal offense if that person intentionally "alters, destroys, mutilates, conceals, or removes a record, document, or thing with intent to impair its verity or availability" in an official proceeding. As such, intentional destruction of any documents related to this matter may result in criminal prosecution.

### NOTICE OF CIVIL PENALTIES

YOU ARE NOTIFIED that the above-cited violations are sufficient grounds for the imposition of civil penalties pursuant to N.D.C.C. § 10-04-16(1). The Securities Commissioner does not herein assess a civil penalty, but the Commissioner expressly reserves the authority to assess civil penalties, not to exceed \$10,000 per violation,

regarding the violations outlined above, any other violations subsequently discovered, or any future securities violations or violations of this order.

# NOTICE OF RIGHT TO REQUEST HEARING

YOU ARE NOTIFIED that pursuant to N.D.C.C. § 10-04-12 you may request a hearing before the Securities Commissioner if such a request is made in writing <u>WITHIN</u> FIFTEEN (15) DAYS AFTER THE RECEIPT OF THIS ORDER. The respondents have the right to be represented by legal counsel at the hearing.

IN TESTIMONY WHEREOF, witness my hand and seal this

day o

, 2006.

SEAL (SEAL)

Karen J. Tyler, Securities Commissioner North Dakota Securities Department

600 East Boulevard Ave. State Capitol – Fifth Floor Bismarck, ND 58505-0510

(701) 328-2910

## STATE OF NORTH DAKOTA

## **SECURITIES COMMISSIONER**

Mees Masonry Corp.; Riverside RV Rentals, Inc.; Dig-it Underground, Inc.; R. Lang Construction, Inc.; Calvin K. Mees; Wade J. Vogel; and their Officers, ) Directors, Agents, and Employees,	AFFIDAVIT OF SERVICE BY MAIL
Respondents. )	
	• • • • • • • • • • • • • • • • • • • •
I, Jacqui Ferderer, being first duly sworn, state that I am a citizen of the United	
States over the age of twenty-one years and not a party to or interested in the above-	
entitled proceeding.	
On this <u>//</u> day of <u>April</u>	, 2006, I deposited in the Central Mailing
Bureau of the United States Post Office	Department in the State Capitol in Bismarck,

# CEASE AND DESIST ORDER, NOTICE OF CIVIL PENALTY, AND NOTICE OF RIGHT TO REQUEST A HEARING

North Dakota, a true and correct copy of each of the following documents:

A copy of the above document was securely enclosed in an envelope with postage duly prepaid, sent via certified mail, return receipt requested, addressed to each of the following:

Steve Noack Vogel Law Firm P. O. Box 1389 Fargo, ND 58107-1389

In the Matter of Viper Acquisition, LLC; )

Mees Masonry Corporation 11809 Elsa Rosa Drive Menoken, ND 58558 R. Lang Construction, Inc. 9005 Oak Drive Bismarck, ND 58503

Riverside RV Rentals, Inc. 404 Beretta Street Mandan, ND 58554

Dig-it Underground, Inc. 6406 Willow Road Mandan, ND 58554

Calvin K. Mees 4725 N. O'Connor Rd. #3046 Irving, TX 75062

Calvin K. Mees 1353 Middleton Dr. #2000 Cedar Hill, TX 75104

To the best of my knowledge, information, and belief, the address given above is the actual mailing address for the party intended to be served or of the attorney representing that party.

Jacqui Ferderer

Subscribed and sworn to before me this \_\_/ //

day of

2006

Harold P. Kocher, Notary Public Burleigh County, North Dakota My commission expires 4/26/2008